

9-26
CRIMINAL PROCEEDINGS:

Sentencing

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF IDAHO

District Judge David O. Carter
Case No. 1:03cr0109 BLW
Place: Boise
Time:

Date: February 3, 2004
Deputy Clerk: Glenda J. Longstreet
Reporter: Stacy Heinz

UNITED STATES OF AMERICA vs. FLORENTINO VILLEGAS-DELGADILLO

Counsel for United States: Rafael M. Gonzalez
Defendant(s): George Paul Trejo, Jr.
Interpreter: Eduardo Silva
Probation Officer: Sylvia Carvajal

- (X) Court reviewed case history. PSR received by all parties in a timely manner.
- (X) Court adopts Pre-sentence report.
- () Motion by defendant (dkt #) for downward departure:
- (X) **Motion by government for 2 level downward departure dkt #51: GRANTED**
- (X) Guilty plea entered to Counts #1, 13, 14, 21, of the Superseding Indictment.
- (X) The government moves to dismiss remaining count #24 of the Superseding Indictment:
- (X) **Guideline information as stated on the record.**

SENTENCE: 135 months incarceration on each of counts 1,13,14,21 of the Superseding Indictment to be served concurrently. Fine waived, supervised release for a period of 5 years on each of Counts 1, 13, and 3 years on each of Count 14, 21, to be served concurrently and within 72 hours of release he is to report to the probation office in the district to which the defendant is released, special assessment of \$100.00 on each count for a total of \$400.00, due immediately.

Terms and conditions:

1. The defendant is prohibited from possessing a firearm or other dangerous weapon.
2. The defendant shall pay any special assessment that is imposed by this judgment, and that remains unpaid at the commencement of the term of supervised release to the Clerk of the U. S. District Court, 550 W. Fort Street, MSC 039, Boise, Idaho 83724, on a monthly payment schedule as directed by the probation officer.
3. The defendant shall participate in a program of testing and treatment for drug and alcohol abuse, as directed by the probation officer, until such time as the defendant is released from the program by the probation officer. The cost of testing and treatment shall be paid by both the defendant and the government in monthly payments as arranged by the probation officer.
4. The defendant shall submit to search of his person, place of residence, or automobile at the direction of the U. S. Probation Officer and submit to seizure of any contraband found therein.
5. The defendant shall comply with the rules and regulations of the Bureau of Immigration and Customs Enforcement, and if deported from this country, either voluntarily or involuntarily, shall not reenter the United States without permission from the Secretary of the Department of Homeland Security.

6. Within 72 hours of release from any custody or reentry to the United States during the term of Court ordered supervision, the defendant shall report in person to the probation office in the district to which the defendant is released.

- (X) The court strongly recommends an Arizona facility because of close family ties in the area.
- (X) Count #24 is dismissed upon the government's motion.
- (X) Defendant remanded to the custody of the U. S. Marshal.
- () Defendant will voluntarily surrender as stated on the record and in the Judgment.
- (X) Right to appeal explained.